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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/521,788	01/21/2005	Stephane Rouchy	0512-1257	1959

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EXAMINER

SANTIAGO CORDERO, MARIVELISSE

ART UNIT PAPER NUMBER

2617

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/521,788	Applicant(s) ROUCHY ET AL.	
	Examiner Marivelisse Santiago-Cordero	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 4/19/06.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-23 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 11-23 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Art Unit – Location

1. The Art Unit location of your application in the USPTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Art Unit 2617.

Response to Arguments

2. Applicant's arguments with respect to claims 11-23 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

3. Claims 21 and 23 are objected to because of the following informalities: the term “adaptor” (line 2 of each claim) should be replaced with --adapter-- in order to be consistent throughout the claims. Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 11 and 13-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Suoknuuti et al. (hereinafter “Suoknuuti”; Patent No.: US 6,760,601) in view of Phillips et al (hereinafter “Phillips”; Patent No.: US 6,181,715).

Regarding claim 11, Suoknuuti discloses an information retransmission device (Fig. 1, reference 20) comprising:

means (21) for exchanging information (col. 1, line 65 through col. 2, line 7) with a remote server (4) (Fig. 1, reference 12) via a switched telecommunications network (6) (Fig. 1, reference 16);

means (23) (Fig. 1, reference 30) for automatically detecting the presence of a nearby output device (8) (Fig. 1, reference 34; col. 4, line 59 through col. 5, line 8; note that the information retransmission device communicates with the output device according to the BLUETOOTH protocol which inherently performs an automatic detection of the presence of a nearby output device); and

means (23) (Fig. 1, reference 30) for automatically retransmitting information received from said remote server (4) from said device (2) to an output device (8) that has been detected nearby (col. 2, lines 8-16),

wherein said information retransmission device is integrated into an adapter (col. 2, line 63 through col. 3, line 2).

Suoknuuti fails to specifically disclose wherein said information retransmission device is provided with power exclusively from a connection the telecommunications network (6). Suoknuuti does disclose that upon connection of the retransmission device with the PSTN a power up operation begins (col. 5, lines 46-50), thereby suggesting wherein said information retransmission device is provided with power exclusively from a connection the telecommunications network.

However, given that Suoknuuti fails to specifically disclose this, Phillips discloses providing power exclusively from a connection to the telecommunications network (col. 1, lines 34-50).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to provide to the information retransmission device of Suoknuuti with power exclusively from a connection to the telecommunications network as suggested and disclosed by Phillips for the advantages of not losing telephony services that in case of a power outage (Phillips: col. 1, lines 34-50), the volume of the information retransmission device is reduced, no extra power supply is required, installation becomes much simplified, and it's cost-effective.

Regarding claim 13, in the obvious combination, Suoknuuti discloses comprising means (22) for storing information in order to store information received from said remote server (4) (col. 3, lines 46-50) and to retransmit it subsequently to an output device (8) detected nearby (col. 3, lines 46-50).

Regarding claim 14, in the obvious combination, Suoknuuti discloses comprising means (25) for setting its operating parameters enabling a user and/or the remote server (4) to set parameters for retransmission of received information as a function of the identity of the detected output device (8) (col. 3, lines 50-65; col. 5, line 67 through col. 6, line 8).

Regarding claim 15, in the obvious combination, Suoknuuti discloses further comprising means (26) for selecting and/or converting received information in order to enable the retransmission of some or all of said information in a format suited to output on the detected output device (8) (col. 3, lines 37-46; col. 4, lines 23-28; col. 6, lines 10-18).

Regarding claim 16, in the obvious combination, Suoknuuti discloses also being connected to at least one standard telephone device (10) (Fig. 1, reference 32; col. 2, lines 54-57) and comprises means (27) for identifying the addressee of an incoming call (col. 4, lines 29-34)

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and means (28) for switching calls in order to enable the switching of incoming calls between said at least one standard telephone device (10) and said information exchange means (21) (col. 3, lines 32-36; col. 4, lines 29-39).

Regarding claim 17, in the obvious combination, Suoknuuti discloses being adapted to exchange information with said output device (8) by means of a wireless radio connection (col. 2, lines 17-20).

Regarding claim 18, in the obvious combination, Suoknuuti discloses exchanging information with said output device (8) in accordance with a standard information transmission protocol (col. 2, lines 17-20; col. 4, lines 59-67) and said means for automatically detecting the presence of an output device (8) nearby and said means for automatically retransmitting information take the form of a communications module (23) using the standard information transmission protocol (col. 2, lines 17-20; col. 4, lines 59-67).

Regarding claim 19, Suoknuuti discloses an information retransmission system comprising a device (2) (Fig. 1, reference 20) for retransmitting information received from remote server (Fig. 1, reference 12) over telecommunications network (Fig. 1, reference 16) in order to retransmit it to an output device (8) (Fig. 1, reference 34) comprising means for receiving information coming from said information retransmission device (2) (col. 3, lines 37-38 and 49-50; col. 4, lines 1-16) and means for output that information (col. 3, lines 37-38).

As stated above for claim 1, Suoknuuti in view of Phillips disclose wherein said device for retransmitting information is the information retransmission device according to claim 11, and one of ordinary skill in this art would have been motivated to combine for the reasons and motivations stated above for claim 1.

Regarding claim 20, in the obvious combination, Suoknuuti discloses wherein said output device (8) is an output device selected from the group consisting of: a mobile telephone (8a), a personal digital assistant (8b), a watch (8c), a television (8d), and a portable computer (8e) (col. 2, line 51-52 and 60-62).

Regarding claim 21, in the obvious combination, Suoknuuti discloses wherein the adaptor is a telephone jack (col. 2, line 63 through col. 3, line 3).

Regarding claim 22, in the obvious combination, Suoknuuti discloses wherein the telecommunications network is a public switched telephone network (PSTN) (Fig. 1, reference 16), wherein the connection to the telecommunications network comprises a wire pair with a voltage difference between wires in the wire pair (col. 2, line 63 through col. 3, line 3; note that the standard connections, such as RJ-45 connector of Suoknuuti, inherently incorporates a wire pair with a voltage difference between wires in the wire pair). In addition, in the obvious combination, Phillips discloses wherein the connection to the telecommunications network comprises a wire pair with a voltage difference between wires in the wire pair, and wherein the power for the information retransmission device is exclusively provided by the voltage difference (col. 1, lines 34-50; again note that standard connections, such as the twisted pair of Phillips, inherently incorporates a wire pair with a voltage difference between wires in the wire pair).

Regarding claim 23, in the obvious combination, Suoknuuti discloses wherein the adapter is a telephone jack that is connected to the PSTN (col. 2, line 63 through col. 3, line 3).

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6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suoknuuti in combination of Phillips as applied to claim 11 above, and further in view of Moore et al. (hereinafter "Moore"; Pub. No.: US 2003/0027525).

Regarding claim 12, Suoknuuti in combination with Phillips disclose a device according claim 11 (see above), wherein said means for exchanging information are adapted to receive information from said server (4) and retransmit it directly to said detected output device (8) (col. 3, lines 46-50).

Suoknuuti in combination with Phillips fails to specifically disclose wherein said means for exchanging information are adapted to interrogate said remote server via said telecommunications network on detection of a nearby output device.

However, in the same field of endeavor, Moore discloses wherein said means for exchanging information are adapted to interrogate said remote server via said telecommunications network on detection of a nearby output device (paragraph [0032]).

Therefore, it would have been obvious to one of ordinary skill in this art at the time of invention by applicant to interrogate the remote server of Suoknuuti in combination with Phillips on detection of a nearby output device as suggested by Moore for the advantages of requesting information on a needed basis and the capacity of storage of the retransmission device can be efficiently managed.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marivelisse Santiago-Cordero whose telephone number is (571) 272-7839. The examiner can normally be reached on Monday through Friday from 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lester Kincaid can be reached on (571) 272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

msc 7/28/03

MSC



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